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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/099,710	03/14/2002	Shu Lin	PU020052	2027

7590 07/26/2007
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EXAMINER

FLETCHER, JAMES A

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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07/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/099,710	Applicant(s) LIN ET AL.	
	Examiner James A. Fletcher	Art Unit 2621	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 10 July 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324): _____.
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____.
- Claim(s) objected to: _____.
- Claim(s) rejected: _____.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because:

In re page 3, Applicant's Representative states: "there is absolutely no teaching, suggestion or disclosure in McLaren for a method, and systems for performing a trick mode on a video signal including at least 'in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal' as taught in the Applicant's Specification and claimed by at least the Applicant's claim 1.

The Examiner respectfully disagrees. McLaren explicitly discloses performing a trick mode on a video signal in response to a trick mode command, as shown on P. 17, lines 1-13.

McLaren also explicitly discloses repeating of pictures during trick play modes (which is clearly in response to a trick mode command), on page 8, lines 15-30, as well as in the paragraph from page 8, line 35 to page 9, line 9; page 9 line 29 to line 37, and in the chart on page 22.

McLaren further implicitly discloses a repetition of image signals by discussing a reduction in temporal resolution on page 4, line 37 - page 5, line 4, and in particular line 27 "3 frame repeats."

As is understood by those of skill in the art, a reduction in temporal resolution of a signal provided to a display with a constant refresh rate (and there is no suggestion of a display with a variable refresh rate) requires a repeating of the image signal provided to the display.

Further in re page 3, Applicant's Representative states: "McLaren teaches a method and apparatus for generating n MPEG compatible digital image representative signal for recording which facilitates reproduction at more than one speed."

While the Examiner does not dispute this point, McLaren also explicitly discloses the repeating of a picture in the video in response to a trick mode command, as in the Applicant's claim, and as analyzed and discussed above.

In re page 4, Applicant's Representative states: "McLaren instead and in contrast to the invention of the Applicant, teaches that a prerecorded trick play video signal can be played back in place of a normal playback signal during a trick play mode."

Again, the Examiner does not dispute this point. However, the Examiner feels that McLaren also discloses details of repeated playback of a single frame in response to a trick play command, as in the Applicant's claim, and as analyzed and discussed above.

In conclusion, the Applicant's Representative appears to feel that McLaren does not disclose repeating of a picture in a video in response to a trick play command. The trick play command is clearly disclosed on page 17, and the repetition of a single picture in response to that command is clearly shown on pages 8 and 9, and on the chart on page 22..



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